

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Attorneys for Secured Creditor

Wells Fargo Bank, N.A., as Trustee, on behalf of the
registered holders of Morgan Stanley ABS Capital I Inc.
Trust 2005-WMC4, Mortgage Pass-Through Certificates,
Series 2005-WMC4

In Re:

Anthony J. Bersito, Josephina A. Bersito

Debtors



Order Filed on June 1, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 19-32152 ABA

Adv. No.:


Hearing Date: 5/5/2020

Judge: Andrew B. Altenburg, Jr.

ORDER CURING ARREARS & RESOLVING MOTION FOR RELIEF FROM STAY

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: June 1, 2020



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

(Page 2)

Debtors: Anthony J. Bersito, Josephina A. Bersito

Case No: 19-32152 ABA

Caption of Order: ORDER CURING ARREARS & RESOLVING MOTION FOR RELIEF FROM
STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Wells Fargo Bank, N.A., as Trustee, on behalf of the registered holders of Morgan Stanley ABS Capital I Inc. Trust 2005-WMC4, Mortgage Pass-Through Certificates, Series 2005-WMC4, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 209 Winding Way Road, Stratford, NJ, 08084, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Georgette Miller, Esq., attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of May 4, 2020, Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due December 2019 through May 2020 for a total post-petition default of \$7,675.14 (6 @ \$1,279.19); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$7,675.14 will be paid by Debtor remitting \$1,279.19 per month in addition to the regular monthly mortgage payment, which additional payments shall begin on June 1, 2020 and continue for a period of six months until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume June 1, 2020, directly to Secured Creditor care of its servicer, Select Portfolio Servicing, Inc. P.O Box 65450, Salt Lake City, UT 84165 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtors' Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtors, and Debtors' counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan, and that this motion is hereby resolved.

Certificate of Notice Page 3 of 3

United States Bankruptcy Court
District of New Jersey

In re:
Anthony J Bersito
Josephine A. Bersito
Debtors

Case No. 19-32152-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 2

Date Rcvd: Jun 01, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 03, 2020.

db +Anthony J Bersito, 209 Winding Way Road, Stratford, NJ 08084-1803
jdb #+Josephine A. Bersito, 209 Winding Way Road, Stratford, NJ 08084-1803

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 03, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 1, 2020 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Wells Fargo Bank, N.A., as Trustee, on behalf of the registered holders of Morgan Stanley ABS Capital I Inc. Trust Et Al... dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Georgette Miller on behalf of Joint Debtor Josephine A. Bersito bky@margolisedelstein.com, georgettemillerlaw@gmail.com; gmecfmail@gmail.com; dmayberry@georgettemillerlaw.com; smithcr50524@notify.bestcase.com; GNonnenberg@margolisedelstein.com
Georgette Miller on behalf of Debtor Anthony J Bersito bky@margolisedelstein.com, georgettemillerlaw@gmail.com; gmecfmail@gmail.com; dmayberry@georgettemillerlaw.com; smithcr50524@notify.bestcase.com; GNonnenberg@margolisedelstein.com
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5